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1 2 UNITED STATES DISTRICT COURT 3 4 NORTHERN DISTRICT OF CALIFORNIA 5 6 7 DAVID C. HOSTLER, No. C 08-0808 PJH (PR) 8 Plaintiff, 9 **JUDGMENT** ٧. TILMAN, CDCR Director, 10 11 Defendant. 12 13 A judgment of dismissal without prejudice is entered in favor of defendant and

against plaintiff. Plaintiff shall take nothing by way of his complaint.

## IT IS SO ORDERED.

Dated: May 22, 2008.

PHYLLIS J. HAMILTON United States District Judge

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## UNITED STATES DISTRICT COURT FOR THE

## NORTHERN DISTRICT OF CALIFORNIA

| DAVID C HOSTLER, | Case Number: CV08-00808 PJH |
|------------------|-----------------------------|
| Plaintiff,       | CERTIFICATE OF SERVICE      |
| v.               |                             |
| TILMAN et al,    |                             |
| Defendant.       |                             |
|                  |                             |

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 22, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

David C. Hostler T-43967 San Quentin State Prison Gym 219 San Quentin, CA 94964

Dated: May 22, 2008

Richard W. Wieking, Clerk

By: Nichole Heuerman, Deputy Clerk